THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10696 OF 2006

20.06.2006

Between:

Ramidi Bhupathi Reddy, S/o.late Yellareddy

And another

… Petitioner

AND

The District Collector, West Godavari District, Eluru

And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10696 OF 2006

ORDER:

The three petitioners filed the present writ petition assailing the orders of second respondent dated 28.4.2006 in Case No.D/3213/2005. The said order was passed in purported exercise of powers under Section 5-B of A.P. Rights in Land and Pattadar Pass Books Act, 1971 (the Act, for brevity).

It is the case of the petitioner that the petitioners filed a revision petition against the interim orders passed by the second respondent on 15.5.2006 and the first respondent took the same on file and called for the records from the second respondent. Even while the said revision petition against the interim order was pending, the second respondent disposed of the main case No.D/3213/2005 setting aside the orders of the Mandal Revenue Officer, Yadagirigutta (MRO), the third respondent herein, dated 24.10.2005. Therefore, they assail the order of the second respondent as illegal and arbitrary.

At the stage of preliminary hearing, the learned Counsel for fourth respondent, Sri P.Pratap Reddy, brought to the notice of this Court that against the order impeached in the present writ petition, the petitioners already filed revision petition before the

first respondent and first respondent directed the second respondent to send the remarks and records. A copy of the notice issued by the first respondent to the fourth respondent is placed before this Court.

As the petitioners have already filed revision petition against the impugned order, this writ petition is not maintainable. The first respondent is directed to dispose of both the revision petitions within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly dismissed. No costs.

_____

(**V.V.S.RAO, J**)

June 20, 2006

YS